

SC CIRCULAR NO. 43-99, July 07, 1999

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7 July 1999

TO:

All Judges of the Regional Trial Courts, the Metropolitan Trial Courts, the Municipal Trial Courts in Cities, the Municipal Trial Courts and the Municipal Circuit Trial Courts

SUBJECT

Guidelines in the Implementation of Resolution No. 99-1-04-SC dated 2 February 1999 of the Supreme Court En Banc

These guidelines are issued in implementation of the provisions of Resolution No. 99-1-04-SC dated 2 February 1999 of the Supreme Court En Banc granting incentives to judges who are given additional duty of hearing and deciding cases of other branches of their court or of other courts of the same level.

- The provisions of Resolution No. 99-1-04-SC shall apply to the following as indicated herein:

A. Judges of the Regional Trial Courts:

- (1) A judge who has been officially designated as Acting Presiding Judge by the Supreme Court to handle the cases of an additional or another court/sala;
- (2) A pairing judge (under the pairing system for multiple sala stations pursuant to the provisions of Circular No. 7 dated 23 September 1974 as amended by Circular No. 19-98 dated 18 February 1998) who takes cognizance of the cases of his paired sala; and
- (3) An assisting judge officially designated to assist the presiding judge/acting presiding judge of an another court/sala.

B. Judges of the Metropolitan Trial Courts, the Municipal Trial Courts in Cities, the Municipal Trial Courts and the Municipal Circuit Trial Courts:

- (1) A judge who has been officially designated as Acting Presiding Judge by the Executive Judge of the Regional Trial Court to handle the cases in other courts/salas; and
- (2) An assisting judge officially designated to assist the presiding judge/acting presiding judge of an another sala.

- The following rules shall be observed:

A. Judges of the Regional Trial Courts -

(1) A judge of the Regional Trial Court officially designated as Acting Presiding Judge by the Supreme Court to handle cases in an additional or another sala shall hold trial or conduct proceedings at least twice a week in his official station. Should this schedule be not feasible or practicable because the judge is designated to handle cases in four or more courts/salas, the judge involved shall submit to the Court Administrator for his information the schedule he intends to observe.

(2) A judge of the Regional Trial Court who, upon his request or initiative, is detailed to another court shall not be entitled to the additional expense allowance and monthly hardship allowance for the particular detail from the said official station.

B. Judges of the Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court and Municipal Circuit Trial Courts -

(1) A judge of the Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court and Municipal Circuit Trial Courts may be designated as Acting Presiding Judge by the Executive Judge to handle cases in an additional or other salas. In no instance shall such judge be designated to handle cases in more than three (3) other salas. However, he may still be assigned by the Supreme Court to handle additional cases in a fourth or fifth sala, depending on his caseload in his station and other assigned courts.

(2) The Executive Judge shall designate the judge presiding over the court/sala nearest to the court/sala which requires the services of a judge, unless there are justifiable reasons for designating a different judge presiding over a court/sala distant from the needful court/sala involved. In the latter instance, the Executive Judge shall submit to the Office of the Court Administrator the justification and information on the caseload of the nearest court/sala.

(3) A judge of the Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court and Municipal Circuit Trial Court who, upon his request or initiative, is detailed to another court shall not be entitled to the additional expense allowance and monthly hardship allowance.

- Pairing judges shall submit the following documents in support of claims for the additional expense allowance and monthly hardship allowance:

A. Copies of the calendar of hearing and minutes certified by the Clerk of Court or Branch Clerk of Court, as the case may be, of the court wherein the claimant performed additional duties; and

C. Voucher with the required signatures of the claimant and/or the officials concerned.

- Non-pairing judges shall submit the following documents in support of claims for the additional expense allowance and monthly hardship allowance:

A. Certified true copies each of (1) the designation of the claimant by the Supreme Court; or (2) the official designation issued by the Executive Judge;

B. Copies of the calendar of hearing and minutes certified by the Clerk of Court or Branch Clerk of Court, as the case may be, of the court wherein the claimant performed additional duties; and

C. Voucher with the required signatures of the claimant and/or the officials concerned.

- Assisting judges shall submit the following documents in support of claims for the additional expense allowance and monthly hardship allowance:

A. Certified true copy of the designation of the claimant by the Supreme Court;

B. Copies of the calendar of hearing and minutes certified by the Clerk of Court or Branch Clerk of Court, as

the case may be, of the court wherein the claimant performed additional duties; and

C. Voucher with the required signatures of the claimant and/or the official concerned.

- The provisions of these guidelines shall take effect immediately.

(SGD.) ALFREDO L. BENEPAYO

Court Administrator

NOTED:

(SGD.) HILARIO G. DAVIDE, JR.

Chief Justice

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